



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/753,728

01/08/2004

Gabor Fulop

133538

6290

7590

02/28/2006

Timothy E. Nauman
FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP
1100 Superior Avenue
Cleveland, OH 44114

EXAMINER

HODGES, MATTHEW P

ART UNIT

PAPER NUMBER

2879

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/753,728	Applicant(s) FULOP, GABOR	
	Examiner Matt P. Hodges	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-11 and 13-15 is/are rejected.
- 7) ☒ Claim(s) 5 and 12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/8/2004</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

Claims 4 and 15 are objected to because of the following informalities:

Claims 4 and 15 include elements without proper antecedent basis. Those elements include "the strap" and "the lead having a longer free portion"/"the longer free portion". Claim dependencies or claim language should be changed to provide proper antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2879

Claims 1-4, 8, 10, 11, and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Bergman et al. (US 5,610,469).

Regarding claim 1, Bergman discloses (see figures 1 and 2) a lamp including a lamp base (28) with a stem (32), two leads (30) extending from the stem and defining a first plane, a translucent outer envelope (18), a halogen inner lamp light source (12) including pinched seal portions (42) that define a second plane. The first and second planes are substantially perpendicular. (Column 3 lines 14-37)

Regarding claim 2, Bergman discloses the use of a lead extender (54) that serves to lengthen one of the two leads and connect the lead to the inner lamp lead.

Regarding claims 3 and 4, Bergman further discloses a strap (52) that is attached to the free end of the longer lead and the pinched seal of the inner lamp source.

Regarding claim 8, Bergman further discloses a second pinched end opposite the first pinched end. (See figure 1)

Regarding claim 10, Bergman further discloses the manufacture of the device as described in the rejection of claim 1 above.

Regarding claim 11, Bergman further discloses the use of a mechanical connection (52) located between the pinched end and the leads, where the mechanical connection supports the inner lamp. (See figure 1)

Regarding claim 13, Bergman further discloses providing a strap (52) between the pinched end and the free portion of a lead.

Regarding claim 14, Bergman discloses the use of metal leads that are trimmed to different lengths. The longer lead being a combination of lead portion 30 and lead extender 54.

Regarding claim 15, Bergman discloses the attachment of the strap to the longer lead.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bergman et al. (US 5,610,469) in view of Seki et al. (US 6,084,352).

Regarding claim 6, Bergman discloses the device as claimed (see rejection of claim 1 above) but does not specify the construction of the inner lamp seal including a lead through foil. However Seki (See figure 1), in the same field of endeavor, disclose the use of a lead through foil at the location of the seal portion to advantageously provide a more robust and long lasting seal. Thus, it would have been obvious at the time the invention was made to a person having ordinary skills in the art to incorporate a lead through foil as taught by Seki into the device as disclosed by Bergman in order to advantageously provide a more robust and long lasting seal.

Regarding claim 7, the lead through foil is in the same plane as the pinch seal.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bergman et al. (US 5,610,469) in view of Michel et al. (US 6,400,077)

Regarding claim 9, Bergman discloses the device as claimed (see rejection of claim 1 above) but does not appear to specify the use of an inner lamp with a single pinched end.

Art Unit: 2879

However Michel, in the same field of endeavor, disclose (see figure 2) the use of a lamp portion including a seal portion with two leads. The use of a bent tube allows for a longer filament in the same vertical length thereby allowing for higher brightness. Thus, it would have been obvious at the time the invention was made to a person having ordinary skills in the art to incorporate an inner lamp with a single pinched end as taught by Michel into the device as disclosed by Bergman in order to advantageously for higher brightness.

Allowable Subject Matter

Claims 5 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 5, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 5, and specifically comprising the limitation of a lamp including leads from the step forming a first plane, an inner lamp with a pinch seal forming a second plane where the seal is located between the leads and where the first and second plane are perpendicular.

Regarding claim 12, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 12, and specifically comprising the limitation of the manufacture of a lamp including leads from the step forming a first plane, an inner lamp with a pinch seal forming a second plane where the seal is located between the leads and where the first and second plane are perpendicular.

Art Unit: 2879

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tucker et al. (US 6,163,102) discloses the use of a support base for the sealed end, the support base being rotated around the axis of the seal.


Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matt P Hodges whose telephone number is (571) 272-2454. The examiner can normally be reached on 7:30 AM to 4:00 PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mph


NIMESHKUMAR D. PATEL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800